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Attorneys for Plaintiff
GIRAFA.COM, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

GIRAFA.COM, INC.,

Plaintiff,

v.

ALEXA INTERNET, INC.; NIALL
O'DRISCOLL,

Defendants.

Case No.: 08-2745 RMW (RS)

**DECLARATION OF JOHN B. SCHERLING
IN SUPPORT OF GIRAFA'S MOTION TO
FILE EXHIBITS UNDER SEAL PURSUANT
TO CIVIL LOCAL RULE 79-5**

Date: September 5, 2008
Time: 9:00 a.m.
Courtroom: 6, 4th Floor
Judge: Honorable Ronald M. Whyte

I, John B. Scherling, state and declare as follows:

1. I am a partner in the law firm of Sughrue Mion, PLLC, counsel for Girafa.com, Inc.

1 (“Girafa”). I submit this declaration in support of Girafa’s Motion to File Exhibits Under Seal
2 Pursuant to Civil Local Rule 79-5.

3 2. Exhibit C (the March 7, 2008 Declaration of Shirli Ran in Support of Plaintiff
4 Girafa.com, Inc.’s Motion for Preliminary Injunction in *Girafa.com, Inc. v. Amazon Web Services,*
5 *LLC, et al.*, District of Delaware Case No. 07-787-SLR) to the contemporaneously-filed Declaration
6 of John B. Scherling in Support of Plaintiff’s Oppositions to Defendants’ (1) Motion to Dismiss
7 Plaintiff’s Third Claim for Relief Under Fed. R. Civ. P. 12(b)(6), (2) Special Motion to Strike
8 Plaintiff’s Third Claim for Relief and (3) Motion to Dismiss, Transfer or Stay herein previously was
9 filed under seal in the referenced action in the District of Delaware. Upon information and belief,
10 this document contains confidential information of Girafa. A redacted public version of Exhibit C is
11 attached as Exhibit A to the contemporaneously-filed Declaration of John B. Scherling in Support of
12 Plaintiff’s Oppositions to Defendants’ (1) Motion to Dismiss Plaintiff’s Third Claim for Relief
13 Under Fed. R. Civ. P. 12(b)(6), (2) Special Motion to Strike Plaintiff’s Third Claim for Relief and
14 (3) Motion to Dismiss, Transfer or Stay.

15 3. Exhibit L (the March 12, 2008 Declaration of Dr. Brad Myers in *Girafa.com, Inc. v.*
16 *Amazon Web Services, LLC, et al.*, District of Delaware Case No. 07-787-SLR) to the
17 contemporaneously-filed Declaration of John B. Scherling in Support of Plaintiff’s Oppositions to
18 Defendants’ (1) Motion to Dismiss Plaintiff’s Third Claim for Relief Under Fed. R. Civ. P. 12(b)(6),
19 (2) Special Motion to Strike Plaintiff’s Third Claim for Relief and (3) Motion to Dismiss, Transfer
20 or Stay herein previously was filed under seal in the referenced action in the District of Delaware.
21 Upon information and belief, this document contains confidential information of Girafa.

22 I declare under penalty of perjury that the foregoing is true and correct.
23

24 DATED: August 15, 2008

By: s/ John B. Scherling
John B. Scherling